

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RONALD DEAN KAMMER,

Defendant.

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CRIMINAL ACTION NO. 4:06-CR-016

**REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Now before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on January 17, 2017, to determine whether Defendant violated his supervised release. Defendant was represented by Robert Arrambide. The Government was represented by Lesley Brooks.

Ronald Dean Kammer was sentenced on October 19, 2006, before the Honorable Judge Richard A. Schell of the Eastern District of Texas after pleading guilty to the offense of Conspiracy to Manufacture, Distribute or Possess with Intent to Manufacture, Distribute or Dispense, a Class A felony. This offense carried a statutory maximum imprisonment term of life. The guideline imprisonment range, based on a total offense of 29 and a criminal history category of VI, was 151 to 188 month. Ronald Dean Kammer was subsequently sentenced to 147 months imprisonment, followed by a term of 5 years of supervised release subject to the standard conditions of release, plus special conditions to include financial discourse; alcohol abstinence, substance abuse treatment and testing, and child support. On August 7, 2015, the Court reduced the Defendant's imprisonment to 126 months. On March 30, 2016, Ronald Dean Kammer completed his period of

imprisonment and began service of the supervision term. On August 16, 2016, the Honorable Amos Mazzini modified Mr. Kammer's conditions to include mental health treatment. On October 13, 2016, the Honorable Amos Mazzant modified Mr. Kammer's conditions to include 180 days halfway house placement.

On January 4, 2017, the U.S. Probation Officer executed a Petition for Warrant or Summons for Offender Under Supervision [Dkt. 680, Sealed]. The Petition asserted that Defendant violated four (4) conditions of supervision, as follows: 1) Defendant shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month; 2) Defendant shall abstain from the use of alcohol; 3) Defendant shall participate in a program of testing and treatment for alcohol and drug abuse, under the guidance and direction of the U.S. Probation Office, until such time as the Defendant is released from the program by the probation office; and 4) Defendant shall reside in a reentry center or similar facility, in a community corrections component, for a period of 180 days to commence immediately and shall abide by the rules and regulations of the center, and pay subsistence according to the U.S. Bureau of Prisons' guidelines.

The Petition alleges that Defendant committed the following acts: 1) Mr. Kammer failed to complete a written report for the month of October 2016; 2) On September 24, 2016; September 27, 2016; and December 15, 2016, Mr. Kammer failed to abstain from the consumption of alcohol. The offender admitted to consuming alcoholic beverages on each date alleged; 3) Mr. Kammer failed to submit a random urine specimen as directed on April 1, 2016; June 4, 2016; June 17, 2016; June 28, 2016; July 6, 2016; July 11, 2016; and July 29, 2016; 4) On December 15, 2016; notification of noncompliance was received from County Rehabilitation Center Tyler, Texas. The report advised that Mr. Kammer returned to the facility under the influence of alcohol. A

breathalyzing test was administered twice, detecting a reading of .083 and .087. Mr. Kammer was unsuccessfully discharged from County Rehabilitation Center on December 19, 2016.

Prior to the Government putting on its case, Defendant entered a plea of true to all of the allegations. Having considered the Petition and the plea of true to all of the allegations, the Court finds that Defendant did violate his conditions of supervised release as alleged in the Petition. Defendant waived his right to allocate before the District Judge and his right to object to the report and recommendation of this Court.

### **RECOMMENDATION**

Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant's supervised release be revoked and that he shall surrender to the United States Marshal on or before Thursday, February 16, 2017. Until February 16, 2017, the Defendant shall undergo twice a week alcohol surveillance and shall then be committed to the custody of the Bureau of Prisons for twelve (12) months with no term of supervised release to follow.

The Court also recommends that Defendant be housed in the Bureau of Prisons North Texas area facility, if appropriate.

**SIGNED this 20th day of January, 2017.**



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Christine A. Nowak  
UNITED STATES MAGISTRATE JUDGE